

State of California  
Regional Water Quality Control Board  
San Diego Region

Executive Officer Summary Report  
March 12, 2003

ITEM: 11

SUBJECT: WASTE DISCHARGE REQUIREMENTS  
Waste Discharge Requirements for Closure and Post-Closure Maintenance of the County of San Diego, San Marcos Landfill: Tentative Order No. R9-2003-0003

PURPOSE: Tentative Order No. R9-2003-0003 would, if adopted, supercede Order No. 92-02, delete San Marcos Landfill from Order No. 93-86 and supersede Monitoring and Reporting Program No. 95-112. The tentative Order contains closure and post-closure maintenance requirements for the San Marcos Landfill. In addition, the monitoring and reporting program incorporates requirements from Title 40, Code of Federal Regulations (40CFR) Part 258.

PUBLIC NOTICE: A Public Notice of this agenda item was published in: 1) San Diego Union-Tribune on January 14, 2003; 2) San Marcos Sun on January 20, 2003; and 3) North County Times on January 29, 2003 (Attachment 5). In addition, a notice was added to the Notification Section of the Regional Board agenda for the February 5, 2003 meeting.

DISCUSSION: On March 11, 1997, the San Marcos Landfill ceased operation. In anticipation of landfill closure, the County of San Diego submitted a final closure plan on December 31, 1995. The closure plan contained a revegetation plan for the final landfill cover that was subject to litigation between the City of San Marcos and the County of San Diego. In July 2001, the City of San Marcos and the County of San Diego agreed to modifications to the revegetation plan.

Subsequently, the County of San Diego submitted a Joint Technical Document (JTD) containing the revised revegetation plan and a monolithic soil final cover that is an engineered alternative to the prescriptive final cover contained in Title 27. The JTD included a demonstration in

accordance with Title 27, Section 20080(b) and (c) which showed the engineered alternative is consistent with performance goals of the prescriptive composite final landfill cover and affords equivalent protection against water quality. Regional Board approval is required for the engineered alternative to the final landfill cover.

Tentative Order No. R9-2003-0003 contains closure and post-closure maintenance requirements for the San Marcos Landfill. Tentative Monitoring and Reporting Program No. R9-2003-0003 contains incorporates the requirements contained in 40 CFR, Part 258.

LEGAL CONCERNS:

None

SUPPORTING DOCUMENTS:

1. Location Map
2. Tentative Order No. R9-2003-0003
3. Tentative Monitoring and Reporting Program No. R9-2003-0001
4. Staff Report for Tentative Order No. R9-2003-0001
5. Public Notification

SIGNIFICANT CHANGES:

Regional Board staff sent out tentative Order No. R9-2003-0003 to the County of San Diego and on January 3, 2003. Interested parties were also informed of the availability of the tentative Order on our website. Subsequently, we have received several comments from the County of San Diego. The agenda package has a copy of our second draft of the tentative Order that will be considered for adoption at today's meeting.

COMPLIANCE HISTORY:

The County of San Diego was issued a Cease and Desist Order No. 98-39 for violations of Order No. 92-02 for exposed waste resulting from erosion of the intermediate landfill cover. Subsequently, the Regional Board issued Administrative Civil Liability 2000-82 for lack of compliance with the 24" intermediate cover requirement contained in CDO No. 98-39. Currently, the County of San Diego continues to submit quarterly progress reports to demonstrate compliance with the 24" intermediate cover requirement.

**RECOMMENDATION:**

The adoption of Order No. R9-2003-0003 is recommended.